Applicant(s):	Rabindranath Dutta		
Assignee:	International Business Machines Corporation		
Title:	Method and System for Customized Modification and Presentation of Remotely Saved Web Content		
Serial No.:	09/740,461	Filing Date:	December 18, 2000
Examiner:	Kyle R. Stork	Group Art Unit:	2178
Docket No.:	AUS920000722US1	Customer No.	65362

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APPEAL BRIEF UNDER 37 CFR § 41.37

Dear Sir:

Applicant submits this Appeal Brief pursuant to the Notice of Appeal filed in this case on July 21, 2008, and the Notice of Panel Decision dated September 3, 2008. A Petition for Extension of Time is filed herewith. The fee for this Appeal Brief is being paid electronically via the USPTO EFS. The Board is authorized to deduct any other amounts required for this appeal brief and to credit any amounts overpaid to Deposit Account No. 090447.

I.   REAL PARTY IN INTEREST - 37 CFR § 41.37(c)(1)(i)

The real party in interest is the assignee, International Business Machines Corporation as named in the caption above and as evidenced by the assignment set forth at Reel 011391, Frame 0857.

II.   RELATED APPEALS AND INTERFERENCES - 37 CFR § 41.37(c)(1)(ii)

Based on information and belief, there are no appeals or interferences that could directly affect or be directly affected by or have a bearing on the decision by the Board of Patent Appeals and Interferences in the pending appeal.

III.   STATUS OF CLAIMS - 37 CFR § 41.37(c)(1)(iii)

Claims 1-5, 7-20, 22-35, and 37-45 are pending in the application. Claims 6, 21, and 36 were canceled. Claims 1-5, 7-20, 22-35, and 37-45 stand rejected. The rejection of claims 1-5, 7-20, 22-35, and 37-45 is appealed. Appendix "A" contains the full set of pending claims.

IV.   STATUS OF AMENDMENTS - 37 CFR § 41.37(c)(1)(iv)

On November 16, 2006, Applicant filed a Request for Continued Examination (RCE) amending claims 1, 2, 4, 5, 8,-12, 14-17, 19, 20, 23-27, 29-32, 34, 35, and 39-42, 44, and 45 to recite that the present invention transmits Web page content files.

V.   SUMMARY OF CLAIMED SUBJECT MATTER - 37 CFR § 41.37(c)(1)(v)

Independent claim 1 of Applicant's patent application recites limitations for a method for processing data within a distributed data processing system. The method comprises: receiving, at a client, a first Web page content file in response to a request by a user to browse the first Web page content file; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) displaying content from the first Web page content file by a client application; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) selecting a user interface control within the client application; in response to the selection of the user interface control, automatically retrieving an address of a server, wherein the user has previously established a user account at the server; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) in response to the selection of the user interface control, automatically retrieving user-specified parameters within the client application, wherein the user-specified parameters are associated with the user account at the server for server-side processing of files sent by the user to the server; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) and automatically sending the first Web page content file with the retrieved user-specified parameters from the client to the server using the retrieved address. (Specification, paragraphs [0036-0044]; Figures 3, 4A-C).

Independent claim 5 of Applicant's patent application recites limitation for a method for processing data within a distributed data processing system. The method comprises: receiving, at a server, one or more Web page content files from a user at a client, wherein the user has previously established a user account at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) authorizing the user for processing data at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) in response to authorizing

the user, automatically storing the one or more received Web page content files from the client at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) in response to authorizing the user, automatically retrieving a previously stored Web page content file from local storage at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) automatically modifying the retrieved Web page by inserting a hyperlink to at least one of the one or more received Web page content files from the client; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) and automatically storing the modified previously stored Web page content file. (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C).

Independent claim 16 of Applicant's patent application recites limitations for an apparatus for processing data within a distributed data processing system. The apparatus comprises: first receiving means for receiving, at a client, a first Web page content file in response to a request by a user to browse the first Web page content file; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) displaying means for displaying content from the first Web page content file by a client application; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) selecting means for selecting a user interface control within the client application; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) first retrieving means for automatically retrieving, in response to the selection of the user interface control, an address of a server, wherein the user has previously established a user account at the server; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) second retrieving means for automatically retrieving, in response to the selection of the user interface control, user-specified parameters within the client application, wherein the user-specified parameters are associated with the user account at the server for server-side processing of Web page content files sent by the user to the server; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) and first sending means for automatically sending the first Web page content file with the retrieved user-specified parameters from the client to the server using the retrieved address. (Specification, paragraphs [0036-0044]; Figures 3, 4A-C).

Independent claim 20 of Applicant's patent application recites limitations for an apparatus for processing data within a distributed data processing system. The apparatus comprises: receiving means for receiving, at a server, one or more Web page content files from a user at a client, wherein the user has previously established a user account at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) authorizing means for

authorizing the user for processing data at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) first storing means for automatically storing, in response to authorizing the user, the one or more received Web page content files from the client at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) retrieving means for automatically retrieving, in response to authorizing the user, a previously stored Web page content file from local storage at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) modifying means for automatically modifying the previously stored Web page content file by inserting a hyperlink to at least one of the one or more received Web page content files from the client; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) and second storing means for automatically storing the modified, previously stored Web page content file. (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3,   6A- C)

Independent claim 31 of Applicant's patent application recites limitations for a computer program product in a computer readable medium for use in a data processing system for remotely storing data. The computer program product comprises: instructions for receiving, at a client, a first Web page content file in response to a request by a user to browse the first Web page content file; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) instructions for displaying content from the first Web page content file by a client application; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) instructions for selecting a user interface control within the client application; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) instructions for automatically retrieving, in response to the selection of the user interface control, an address of a server, wherein the user has previously established a user account at the server; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) instructions for automatically retrieving, in response to the selection of the user interface control, user-specified parameters within the client application, wherein the user-specified parameters are associated with the user account at the server for server-side processing of Web page content files sent by the user to the server; (Specification, paragraphs [0036-0044]; Figures 3, 4A-C) and instructions for automatically sending the first Web page content file with the retrieved user-specified parameters from the client to the server using the retrieved address. (Specification, paragraphs [0036-0044]; Figures 3, 4A-C).

Independent claim 35 of Applicant's patent application recites limitations for a computer program product in a computer readable medium for use in a data processing system for storing

data. The computer program product comprises: instructions for receiving, at a server, one or more Web page content files from a user at a client, wherein the user has previously established a user account at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) instructions for authorizing the user for processing data at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) instructions for automatically storing, in response to authorizing the user, the one or more received Web page content files from the client at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) instructions for automatically retrieving, in response to authorizing the user, a previously stored Web page content file from local storage at the server; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) instructions for automatically modifying the previously stored Web page content file by inserting a hyperlink to at least one of the one or more received Web page content files from the client; (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C) and instructions for automatically storing the modified, previously stored Web page content file. (Specification, paragraphs [0036-0039] [0050-0056]; Figures 3, 6A-C).

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-5, 7-20, 22-35, and 37-45 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,546,393 to Khan ("Khan").

VII.   ARGUMENTS

Examiner has rejected all pending claims under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,546,393 to Khan (hereinafter "Khan"). In the current Office Action, Examiner notes that the Khan reference teaches a system that transmits internet addresses for processing by the server. With regard to the nature of files transmitted by the system taught by Khan, Examiner states that when the system "transmits addresses or URLs, these are text files and count as files, and the fact that they are addresses does not detract from the fact that they are files, albeit, small ones." Although the addresses transmitted by the system disclosed in Khan may constitute files, as characterized by Examiner, Khan does not disclose a system that transmits Web content files to the server.

Independent claims 1, 5, 16, 20, 31, and 35 recite that the present invention transmits Web page content files to a server. Applicant respectfully submits that this feature is not taught by Khan, nor by the other art of record. In the Office Action dated March 20, 2008, however, Examiner asserts that this feature is disclosed in Khan in Figure 27 ("www.delphi.com"). The

discussion in Column 22, lines 36-50 make it clear that the Khan system is transmitting a Universal Resource Locator (URL) to a server. This does not anticipate the limitation of sending a Web page content file to a server, as recited in all pending independent claims. Those of skill in the art would understand a URL to be the internet address for a server. See, for example, page 944 of Newton's Telecom Dictionary, 16th Edition, 2000, which states that a Uniform Resource Locator is simply "a fancy name for an Internet address."

Those of skill in the art would not understand a URL to be the same as a Web content file. Web content would be interpreted by a person of ordinary skill in the art to include the "textual, visual, or aural content that is encountered as part of the user experience on websites. It may include, among other things: text, images, sounds, videos and animations." [Wikipedia http://en.wikipedia.org/wiki/Web_content] A Web content file would be interpreted by a person of ordinary skill in the art to be a file comprising appropriate code for generating Web content. Applicant submits, therefore, that Khan does not anticipate the limitations. It is well understood by those of skill in the art that the content of a web page may vary from time-to-time, while the URL remains the same.

On page 11 of the Final Office Action, Examiner states that Applicant claims language does not require the web page content file itself to be sent to the server, citing claim 1, line 14 as an example. However, on page 11, Examiner correctly observes that claim 1, line 14 recites that "the content file is sent from the client to the server 'using the retrieved address'".... The fact that the retrieved address is used in the transfer does not negate the fact that claim 14 affirmatively recites that the content file is transferred to the server. This feature is not shown in Khan, nor elsewhere in the art of record.

In the Final Office Action, Examiner responds to Applicant's arguments by repeating the reasoning summarized above. In essence, Examiner first states that the claim 11 does not recite that the web content file is transferred. In a subsequent sentence, however, Examiner states that claim 11 does recite that the web file is transferred.

In view of the foregoing, it is respectfully submitted, therefore, that independent claims 1, 5, 16, 20, 31, and 35 are allowable over Khan and the rejection of these claims under 35 U.S.C. §102(e) should be removed. It is further submitted that the remaining dependent claims depend upon an allowable base claim.

VIII.   CLAIMS APPENDIX - 37 CFR § 41.37(c)(1)(viii)

A copy of the pending claims involved in the appeal is attached as Appendix "A."

IX.   EVIDENCE APPENDIX - 37 CFR § 41.37(c)(1)(ix)

None.

X.   RELATED PROCEEDINGS APPENDIX - 37 CFR § 41.37(c)(1)(x)

There are no related proceedings.

XI.   CONCLUSION

In view of the above arguments, it is respectfully urged that the rejection of the claims should not be sustained.

Respectfully submitted,

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APPENDIX A - PENDING CLAIMS

1.   (Previously Presented)   A method for processing data within a distributed data processing system, the method comprising:

    receiving, at a client, a first Web page content file in response to a request by a user to browse the first Web page content file;

    displaying content from the first Web page content file by a client application;

    selecting a user interface control within the client application; in response to the selection of the user interface control, automatically retrieving an address of a server, wherein the user has previously established a user account at the server;

    in response to the selection of the user interface control, automatically retrieving user-specified parameters within the client application, wherein the user-specified parameters are associated with the user account at the server for server-side processing of files sent by the user to the server; and

    automatically sending the first Web page content file with the retrieved user-specified parameters from the client to the server using the retrieved address.

2.   (Previously Presented)   The method of claim 1 further comprising:

    determining that the first Web page content file references a plurality of files;

    receiving at the client the plurality of files;

    sending the plurality of files with the first Web page content file to the server.

3.   (Original)   The method of claim 1 wherein the address is a Uniform Resource Identifier (URI).

4.   (Previously Presented)   The method of claim 1 wherein the first Web page content file is formatted in accordance with a markup language.

5.   (Previously Presented)   A method for processing data within a distributed data processing system, the method comprising:

    receiving, at a server, one or more Web page content files from a user at a client, wherein the user has previously established a user account at the server;

    authorizing the user for processing data at the server;

in response to authorizing the user, automatically storing the one or more received Web page content files from the client at the server;

in response to authorizing the user, automatically retrieving a previously stored Web page content file from local storage at the server;

automatically modifying the retrieved Web page by inserting a hyperlink to at least one of the one or more received Web page content files from the client; and

automatically storing the modified previously stored Web page content file.

6.   (Canceled)

7.   (Original)   The method of claim 5 wherein the Web page may be edited by the user.

8.   (Previously Presented)   The method of claim 5 further comprising:

parsing at least one received file from the client to retrieve an originating Uniform Resource Identifier (URI);

generating one or more URIs for storing the one or more received Web page content files at the server; and

storing the one or more received Web page content files to be accessible using the one or more generated URIs.

9.   (Previously Presented)   The method of claim 8 wherein the inserted hyperlink references a received Web page content file using a generated URI.

10.   (Previously Presented)   The method of claim 8 wherein the inserted hyperlink is associated with anchor text derived from content within a received Web page content file.

11.   (Previously Presented)   The method of claim 10 wherein the anchor text is a title of a received Web page content file.

12.   (Previously Presented)   The method of claim 5 further comprising:
executing a server-side script against the one or more received Web page content files
and the previously stored Web page content file.

13.   (Original)   The method of claim 12 further comprising:
determining whether a user has specified a server-side script; and
in response to a determination that the user has specified a server-side script, executing
the specified server-side script.

14.   (Previously Presented)   The method of claim 13 further comprising:
parsing at least one received Web page content file from the client to retrieve the
specified server-side script.

15.   (Previously Presented)   The method of claim 5 further comprising:
parsing at least one received Web page content file from the client to retrieve a user-
specified processing parameter, wherein the user-specified processing parameter
identifies the previously stored Web page content file to be retrieved.

16.   (Previously Presented)   An apparatus for processing data within a
distributed data processing system, the apparatus comprising:
first receiving means for receiving, at a client, a first Web page content file in response to
a request by a user to browse the first Web page content file;
displaying means for displaying content from the first Web page content file by a client
application;
selecting means for selecting a user interface control within the client application;
first retrieving means for automatically retrieving, in response to the selection of the user
interface control, an address of a server, wherein the user has previously
established a user account at the server;
second retrieving means for automatically retrieving, in response to the selection of the
user interface control, user-specified parameters within the client application,
wherein the user-specified parameters are associated with the user account at the
server for server-side processing of Web page content files sent by the user to the
server; and

first sending means for automatically sending the first Web page content file with the retrieved user-specified parameters from the client to the server using the retrieved address.

17.   (Previously Presented)   The apparatus of claim 16 further comprising:
determining means for determining means for determining that the first Web page content file references a plurality of files;
second receiving means for receiving at the client the plurality of files;
second sending means for sending the plurality of files with the first Web page content file to the server.

18.   (Original)   The apparatus of claim 16 wherein the address is a Uniform Resource Identifier (URI).

19.   (Previously Presented)   The apparatus of claim 16 wherein the first Web page content file is formatted in accordance with a markup language.

20.   (Previously Presented)   An apparatus for processing data within a distributed data processing system, the apparatus comprising:
receiving means for receiving, at a server, one or more Web page content files from a user at a client, wherein the user has previously established a user account at the server;
authorizing means for authorizing the user for processing data at the server;
first storing means for automatically storing, in response to authorizing the user, the one or more received Web page content files from the client at the server;
retrieving means for automatically retrieving, in response to authorizing the user, a previously stored Web page content file from local storage at the server;
modifying means for automatically modifying the previously stored Web page content file by inserting a hyperlink to at least one of the one or more received Web page content files from the client; and
second storing means for automatically storing the modified, previously stored Web page content file.

21.   (Canceled)

22.   (Original)   The apparatus of claim 20 wherein the Web page may be edited by the user.

23.   (Previously Presented)   The apparatus of claim 20 further comprising:

first parsing means for parsing at least one received Web page content file from the client to retrieve an originating Uniform Resource Identifier (URI);

generating means for generating one or more URIs for storing the one or more received Web page content files at the server; and

third storing means for storing the one or more received Web page content files to be accessible using the one or more generated URIs.

24.   (Previously Presented)   The apparatus of claim 23 wherein the inserted hyperlink references a received Web page content file using a generated URI.

25.   (Previously Presented)   The apparatus of claim 23 wherein the inserted hyperlink is associated with anchor text derived from content within a received Web page content file.

26.   (Previously Presented)   The apparatus of claim 25 wherein the anchor text is a title of a received Web page content file.

27.   (Previously Presented)   The apparatus of claim 20 further comprising:

first executing means for executing a server-side script against the one or more received Web page content files and the retrieved Web page content file.

28.   (Original)   The apparatus of claim 27 further comprising:

determining means for determining whether a user has specified a server-side script; and

second executing means for executing in response to a determination that the user has specified a server-side script, the specified server-side script.

29.   (Previously Presented)   The apparatus of claim 28 further comprising:
second parsing means for parsing at least one received Web page content file from the
        client to retrieve the specified server-side script.

30.   (Previously Presented)   The apparatus of claim 20 further comprising:
third parsing means for parsing at least one received Web page content file from the
        client to retrieve a user-specified processing parameter, wherein the user-specified
        processing parameter identifies the Web page content file to be retrieved.

31.   (Previously Presented)   A computer program product in a computer
readable medium for use in a data processing system for remotely storing data, the computer
program product comprising:
        instructions for receiving, at a client, a first Web page content file in response to a request
                by a user to browse the first Web page content file;
        instructions for displaying content from the first Web page content file by a client
                application;
        instructions for selecting a user interface control within the client application;
        instructions for automatically retrieving, in response to the selection of the user interface
                control, an address of a server, wherein the user has previously established a user
                account at the server;
        instructions for automatically retrieving, in response to the selection of the user interface
                control, user-specified parameters within the client application, wherein the user-
                specified parameters are associated with the user account at the server for server-
                side processing of Web page content files sent by the user to the server; and
        instructions for automatically sending the first Web page content file with the retrieved
                user-specified parameters from the client to the server using the retrieved address.

32.   (Previously Presented)   The computer program product of claim 31 further
comprising:
        instructions for determining that the first Web page content file references a plurality of
                files;
        instructions for receiving at the client the plurality of files;

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instructions for sending the plurality of files with the first Web page content file to the server.

33.   (Original)   The computer program product of claim 31 wherein the address is a Uniform Resource Identifier (URI).

34.   (Previously Presented)   The computer program product of claim 31 wherein the first Web page content file is formatted in accordance with a markup language.

35.   (Previously Presented)   A computer program product in a computer readable medium for use in a data processing system for storing data, the computer program product comprising:

instructions for receiving, at a server, one or more Web page content files from a user at a client, wherein the user has previously established a user account at the server;

instructions for authorizing the user for processing data at the server;

instructions for automatically storing, in response to authorizing the user, the one or more received Web page content files from the client at the server;

instructions for automatically retrieving, in response to authorizing the user, a previously stored Web page content file from local storage at the server;

instructions for automatically modifying the previously stored Web page content file by inserting a hyperlink to at least one of the one or more received Web page content files from the client; and

instructions for automatically storing the modified, previously stored Web page content file.

36.   (Canceled)

37.   (Original)   The computer program product of claim 35 wherein the Web page may be edited by the user.

38. (Previously Presented)   The computer program product of claim 35 further comprising:

> instructions for parsing at least one received file from the client to retrieve an originating Uniform Resource Identifier (URI);
>
> instructions for generating one or more URIs for storing the one or more received Web page content files at the server; and instructions for storing the one or more received Web page content files to be accessible using the one or more generated URIs.

39. (Previously Presented)   The computer program product of claim 38 wherein the inserted hyperlink references a received Web page content file using a generated URI.

40. (Previously Presented)   The computer program product of claim 38 wherein the inserted hyperlink is associated with anchor text derived from content within a received Web page content file.

41. (Previously Presented)   The computer program product of claim 40 wherein the anchor text is a title of a received Web page content file.

42. (Previously Presented)   The computer program product of claim 35 further comprising:

> instructions for executing a server-side script against the one or more received Web page content files and the retrieved, previously stored Web page content file.

43. (Original)   The computer program product of claim 42 further comprising:
> instructions for determining whether a user has specified a server-side script; and
> instructions for executing, in response to a determination that the user has specified a server-side script, the specified server-side script.

44. (Previously Presented)   The computer program product of claim 43 further comprising:

> instructions for parsing at least one received Web page content file from the client to retrieve the specified server-side script.

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45.   (Previously Presented)   The computer program product of claim 35 further comprising:

instructions for parsing at least one received Web page content file from the client to retrieve a user-specified processing parameter, wherein the user-specified processing parameter identifies the previously stored Web page to be retrieved.

EVIDENCE APPENDIX - 37 CFR § 41.37(c)(1)(ix)

None

RELATED PROCEEDINGS APPENDIX - 37 CFR § 41.37(c)(1)(x)

There are no related proceedings.